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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,) CASE NO. CR07-047-MJP
08)
09 Plaintiff,)
10)
11 v.) SUMMARY REPORT OF U.S.
MAGISTRATE JUDGE AS TO
12 LINDSEY JOLEE WHITNEY,) ALLEGED VIOLATION
13) OF PROBATION
14 Defendant.)
15)
16)

17 An initial hearing on probation revocation in this case was scheduled before me on April
18 22, 2009. The United States was represented by AUSA Susan B. Dohrmann and the defendant
19 by Michael Filipovic. The proceedings were digitally recorded.

20 Defendant had been sentenced on or about June 13, 2008 by the Honorable Marsha J.
21 Pechman on a charge of Conspiracy to Distribute Ecstasy, and sentenced to three years probation.
22 (Dkt. 124)

The conditions of probation included the standard conditions plus the requirements that
defendant participate in a substance abuse program, submit to search, participate in a mental
health program, successfully complete a home confinement program for 10 months, perform 100
hours of community service at the rate of 5 hours per week with credit for time spent in GED and

parenting classes, obtain a GED within two years, and provide access to financial information as requested. The condition requiring home confinement was removed on January 23, 2009. (Dkt. 125.)

In an application dated March 30, 2009 (Dkt. 130), U.S. Probation Officer Angela M. McGlynn alleged the following violation of the conditions of probation:

1. Consuming alcohol on or before March 23, 2009, in violation of the special condition that prohibits the defendant from consuming alcohol.

Defendant was advised in full as to those charges and as to her constitutional rights.

Defendant admitted the alleged violation and waived any evidentiary hearing as to whether it occurred. (Dkt. 131.)

I therefore recommend the Court find defendant violated her probation as alleged, and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Pechman.

Pending a final determination by the Court, defendant has been released on the conditions of supervision.

DATED this 22nd day of April, 2009.


Mary Alice Theiler
United States Magistrate Judge

cc:	District Judge:	Honorable Marsha J. Pechman
	AUSA:	Susan B. Dohrmann
	Defendant's attorney:	Michael Filipovic
	Probation officer:	Angela M. McGlynn